

1 Robert D. Rowland
2 Lindsay Rakers
3 **GOLDENBERG HELLER**
4 **ANTOGNOLI & ROWLAND, P.C.**
5 P.O. Box 959
6 Edwardsville, Illinois 62025
7 Telephone: 618-656-5150
8 Facsimile: 618-656-6230
9 Attorneys for Plaintiffs

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 IN RE: BEXTRA AND CELEBREX
13 MARKETING SALES PRACTICES AND
14 PRODUCT LIABILITY LITIGATION

MDL NO. 1699
District Judge: Charles R. Breyer

15 This Document Relates To:

STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE

16 *Donald G. Newmann v. Pfizer Inc.*
(05-5359 CRB)

17 *Lehnen, Marie, et al. v. G.D. Searle, et al.*
18 (06-2669 CRB)

19 *Marcy A. West v. Merck & Co., Inc., et al.*
(06-3015 CRB)

20 *Jerry M. Dance v. Merck & Co., Inc., et al.*
21 (06-3016 CRB)

22 *Edward Spinaio v. G.D. Searle, et al.*
(06-3036 CRB)

23 *Lonnie Case v. Merck & Co. Inc., et al.*
24 (06-3180 CRB)

25 *Richard Menzel v. Merck & Co., Inc., et al.*
(06-3181 CRB)

26 *Vincent Calamia v. Merck & Co., Inc., et al.*
27 (06-3182 CRB)

28 *Jessie Abbott v. Merck & Co., Inc., et al.*
(06-3306 CRB)

1 *Berlin Jenkerson v. Merck & Co. Inc., et al.*)
 2 (06-3307 CRB))
 3 *Thomas Kasper v. Merck & Co. Inc., et al.*)
 4 (06-3309 CRB))
 5 *Josephine Tourville v. Merck & Co., Inc., et al.*)
 6 (06-3310 CRB))
 7 *Arzie Stephens v. Merck & Co., Inc., et al.*)
 8 (06-3311 CRB))
 9 *Henry Kahn, et al. v. Pfizer Inc., et al.*)
 10 (06-4600 CRB))
 11 *Carol Copeland v. G.D. Searle LLC, et al.*)
 12 (07-3023 CRB))
 13 *Suzanne Steinbach v. Merck & Co., Inc., et al.*)
 14 (07-0495 CRB))
 15 *John Moseley v. Merck & Co., Inc., et al.*)
 16 (07-0496 CRB))
 17 *Joni Hebblethwaite v. Merck & Co., Inc., et al.*)
 18 (07-0498 CRB))
 19 *Kevin Miller v. Merck & Co, Inc., et al.*)
 20 (07-0596 CRB))
 21 *Lena Scher v. Merck & Co., Inc., et al.*)
 22 (07-2533 CRB))
 23 *Laurence Schmidt v. Merck & Co., Inc., et al.*)
 24 (07-2534 CRB))
 25 *Patty Foreman v. Merck & Co., Inc., et al.*)
 26 (07-2535 CRB))
 27 *Robert Miller v. G.D. Searle LLC, et al.*)
 28 (07-3127 CRB))
Robert J. Smith, Jr., et al. v. Merck & Co., Inc., et al.)
 (07-3488 CRB))
Williamson, Wilburn, et al. v. Merck & Co., Inc., et al.)
 (07-3489 CRB))

Come now all the Plaintiffs in the above-entitled actions and Defendants, by and through
 the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby

1 stipulate to the dismissal of these actions **with prejudice** as to all plaintiffs named therein with
2 each side bearing its own attorneys' fees and costs.

3
4 DATED: 11-2, 2009

By: 

GOLDENBERG HELLER
ANTOGNOLI & ROWLAND, P.C.
P.O. Box 959
Edwardsville, Illinois 62025
Telephone: 618-656-5150
Facsimile: 618-656-6230

Attorneys for Plaintiffs

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10 DATED: Nov. 4, 2009

By: 

DLA PIPER LLP (US)
1251 Avenue of the Americas
New York, New York 10020
Telephone: 212-335-4500
Facsimile: 212-335-4501

Defendants' Liaison Counsel

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18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
19 **IT IS SO ORDERED.**

20 Dated: NOV 13 2009


Hon. Charles R. Breyer
United States District Court